

JAN. 19. 2005 4:09PM

513 241 6234

RECEIVED
CENTRAL FAX CENTER

NO. 0335 P. 4

JAN 19 2005

PATENT
ATTY. DOCKET NO. VMTR/03DV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cleveland et al. Art Unit: 2878
Serial No. : 10/822,352 Examiner: Kevin K. Pyo
Filed : April 12, 2004
For : FLEXURE ASSEMBLY FOR A SCANNER

Mail Stop Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile

RESPONSE TO OFFICE ACTION

This paper is in response to the Office Action mailed October 19, 2004.

Claim amendments begin on page 2 of this paper.

Specification amendment begin on page 6 of this paper.

Remarks begin on page 10 of this paper.

I hereby certify that this correspondence is being sent via
facsimile (703-872-9603) to Examiner Kevin K. Pyo in Art
Unit 2878 at U.S. Patent Office, P.O. Box 1450, Alexandria,
VA 22313-1450: January 19, 2005

Thomas W. Humphrey
Reg. No. 34,353

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whopotent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1823-1988
TRUMAN A. HERRON 1935-1978
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. OWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENNINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

RECEIVED
CENTRAL FAX CENTER
JAN 19 2005

January 19, 2005

FACSIMILE COVER SHEET

To: Examiner Kevin K. Pyo
Group Unit No. 2878
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: 703-872-9306

From: Thomas W. Humphrey

Re: Our File: VMTR-03DV
US Divisional Application Serial No.
10/822,352
Filed April 12, 2004
FLEXURE ASSEMBLY FOR A
SCANNER
Cleveland et al.

Pages: 14 (including cover sheet)

MESSAGE/COMMENTSConfirmation copy will not follow.

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

PATENT
ATTY. DOCKET NO. VMTR/03DV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cleveland et al. Art Unit: 2878
Serial No. : 10/822,352 Examiner: Kevin K. Pyo
Filed : April 12, 2004
For : FLEXURE ASSEMBLY FOR A SCANNER

Mail Stop AMENDMENT NO FEE
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile

AMENDMENT TRANSMITTAL

1. X Transmitted herewith is a Response to Office Action.
2. Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
Enclosed is a verified statement to establish Small Entity status
- X Other than a Small Entity

3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	13	MINUS	29	0	x \$50	\$0	x \$50	\$0
INDEP.	1	MINUS	5	0	x \$200	\$0	x \$100	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$360	\$0	+\$180	\$0
TOTALS					TOTAL FBE	\$0	TOTAL FEE	\$0

_____ Additional fee for claims is required.

4. Attached is a check in the sum of \$_. Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

I hereby certify that this correspondence is being sent via facsimile (703-872-9603) to Examiner Kevin K. Pyo in Art Unit 2878 at U.S. Patent Office, P.O. Box 1450, Alexandria, VA 22313-1450: January 19, 2005

Thomas W. Humphrey
Reg. No. 34,353

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
_____ one month	\$ 120.00	\$ 60.00
_____ two months	\$ 450.00	\$225.00
_____ three months	\$1020.00	\$510.00
_____ four months	\$1590.00	\$795.00
_____ five months	\$2,160.00	\$1080.00
Extension fee due with this request \$_____.		

If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

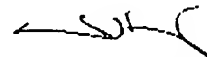
- _____ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$_____.

OR

- (b) x Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

- X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Voice: (513) 241-2324
Facsimile: (513) 241-6234